

Supplemental appropriation to National Guard Armory Board
(SB 1454 by Traeger)

DIGEST: SB 1454 would have appropriated \$156,000 from the General Revenue Fund to the National Guard Armory Board for fiscal year 1985. The funds would have been used to match \$211,000 in federal cost-sharing funds and pay the Armory Board's \$367,000 utility bill.

GOVERNOR'S
REASONS
FOR VETO:

The Governor said since the bill did not garner the two-thirds record vote in both houses needed to allow it to take effect immediately, SB 1454 could not achieve its intended purpose--to help pay the Armory Board's utility bill for June through August, 1985. (The \$156,000 needed to pay the bill was instead transferred from the Governor's Emergency and Deficiency fund.)

SPONSOR'S
VIEW:

Sen. Traeger said the Governor did what he had to under the circumstances--use emergency funds to pay the utility bill. He said the bill was rendered useless by the House's failure to take a record vote on the bill.

NOTES:

The necessary two-thirds record vote was recorded on HB 2508 (123 ayes, 18 nays, 3 present, not voting) the House companion to SB 1454. However, when SB 1454 was considered in lieu of HB 2508, the House did not take a record vote.

The House Study Group analysis of the companion to SB 1454, HB 2508 by Hollowell, appeared in the May 22 Daily Floor Report.

Permission to sue the state for property damage
(HCR 72 by McWilliams)

DIGEST: This resolution would have given Albert and Florence Gorelick permission to sue the state, the State Highways and Public Transportation Commission, and the State Department of Highways and Public Transportation for damage allegedly caused to their home and land during construction on U.S. Highway 59.

GOVERNOR'S
REASONS
FOR VETO:

"This resolution to sue would...unduly waste the limited resources of this state by forcing it to continue to defend claims that have twice before been adjudicated," the Governor said.

SPONSOR'S
VIEW:

Rep. McWilliams was unavailable for comment.

Permission for Billy Bob Berry to sue the state
(HCR 86 by Bush)

DIGEST:

HCR 86 would have granted Billy Bob Berry permission to sue the State of Texas and Grayson County College. Berry alleged that the college had advised him to withdraw from the school of nursing because his minor hearing handicap would prevent him from passing the necessary exams, although it had earlier assured him that his handicap would present no problem.

GOVERNOR'S
REASONS
FOR VETO:

The Governor said the resolution was unnecessary because a junior college can already be sued under Tex. Educ. Code secs. 23.26 and 130.084. He also said the resolution would unjustifiably expose the state to liability because the state is not responsible under the law for the alleged acts or omissions of Grayson County College.

SPONSOR'S
VIEW:

Rep. Bush's office said Rep. Bush understood the Governor's point of view and knew that the resolution was not strictly necessary. He wanted the resolution passed as a backup just in case the statute allowing the college to be sued was misinterpreted by the court, staff members said.

Permission for J. Scoggins and G. Gammage to sue the state
(HCR 137 by Sam Hudson)

DIGEST:

This resolution would have given two former commissioners of the Texas Commission for the Deaf, Jim Scoggins and Gerry Gammage, permission to sue the state and the Attorney General. While they were commissioners, Scoggins and Gammage were named as parties to a law suit filed by a former executive director of the commission. They allege that the